

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Markus Hecker
Andreas H. Wagner

Serial No.: 10/526,430

Filed: March 1, 2005

For: FORMULATION FOR FUNNELLING
NUCLEIC ACIDS INTO EUCARYOTIC
CELLS

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: DEBE:052US

EXPRESS MAIL MAILING LABEL	
NUMBER	EV674811665 US
DATE OF DEPOSIT	February 13, 2006

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MS PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated December 12, 2005, there are enclosed herewith:

- (a) Declaration executed on behalf of Markus Hecker and Andreas H. Wagner;
- (b) A Power of Attorney on behalf of AVONTEC GMBH;
- (c) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (d) Paper Copy of Sequence Listing;


- (e) Computer Readable Form (CRF); and
- (f) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

An Assignment to AVONTEC GMBH and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/DEBE:052US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,


Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

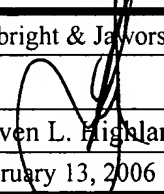
Date: February 13, 2006

TRANSMITTAL FORM	Application Number:	10/526,430
	Filing Date:	March 1, 2005
	First Named Inventor:	Markus Hecker
	Art Unit:	Unknown
	Examiner Name:	Unknown
Total Number of Pages in this Submission : _____		Attorney Docket Number: DEBE:052US

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> References _____ <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts/Requirements <input checked="" type="checkbox"/> Declaration(s) 1 <input checked="" type="checkbox"/> Copy of Notice of Missing Parts/Requirements	<input type="checkbox"/> Drawings(s) _____ <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Statement under 37 CFR §3.73(b) <input type="checkbox"/> Designation of Patent Practitioners <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Check in the amount of \$ <input checked="" type="checkbox"/> Authorized to be charged to deposit account if check insufficient or inadvertently omitted Deposit account number: 50-1212/DEBE:052US <input checked="" type="checkbox"/> Sequence Statement <input checked="" type="checkbox"/> Paper Copy of Sequence Listing <input checked="" type="checkbox"/> Computer Readable Form (CRF) <input checked="" type="checkbox"/> Postcard <input type="checkbox"/> _____ <input type="checkbox"/> _____
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulbright & Jaworski L.L.P.	Customer Number	32425
Signature			
Printed Name	Steven L. Highlander	Reg. No.	37,642
Date	February 13, 2006		

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,430	Markus HECKER	DEBE:052US

32425
FULBRIGHT & JAWORSKI L.L.P.
600 CONGRESS AVE.
SUITE 2400
AUSTIN, TX 78701

INTERNATIONAL APPLICATION NO.	
PCT/DE03/02901	
I.A. FILING DATE	PRIORITY DATE
09/02/2003	09/02/2002

CONFIRMATION NO. 9671
371 FORMALITIES LETTER



0C000000017632605

Date Mailed: 12/12/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/01/2005
- English Translation of the IA filed on 03/01/2005
- Copy of the International Search Report filed on 03/01/2005
- Copy of IPE Report filed on 03/01/2005
- Copy of Annexes to the IPE filed on 03/01/2005
- Preliminary Amendments filed on 03/01/2005
- Biochemical Sequence Diskette filed on 03/01/2005
- Biochemical Sequence Listing filed on 03/01/2005
- U.S. Basic National Fees filed on 03/01/2005
- Priority Documents filed on 03/01/2005

FULBRIGHT & JAWORSKI, LLP
IPT DOCKETING
Docketed ☒ Not Req'd ☐ Confirmation ☐
Initials 1st ON Initials 2nd MR

DEC 23 2005
Attorney SLH
Docket No. DEBE:05245
Action Req'd Date Due

Missing Parts due 2/12/06.
Final 7/12/06.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

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Additionally the following defects have been observed:

- Preliminary Amendments have not been entered because they do not correspond with the changes made in the IPER.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,430	PCT/DE03/02901	DEBE:052US